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11 Attorneys for Plaintiffs

12  
13 **IN THE UNITED STATES DISTRICT COURT**  
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**(SAN FRANCISCO DIVISION)**

15 IN RE: BEXTRA AND CELEBREX ) **MDL CASE NO.: 05-CV-1699**  
16 MARKETING SALES PRACTICES AND )  
17 PRODUCT LIABILITY LITIGATION )  
18 ACQUAROLE, et al., ) **CASE NO. CGC-06-449463**  
19 ) **MDL Case No. 06-2392 CRB**  
20 Plaintiffs, ) **STIPULATION AND ORDER OF**  
21 vs. ) **DISMISSAL WITH PREJUDICE**  
22 PFIZER, INC., et al. ) **AS TO PLAINTIFF MELISSA DUNN**  
23 Defendants. )  
24 )  
25 )

26 COME NOW, Plaintiff MELISSA DUNN and Defendants PFIZER, INC., et al., by and  
27 through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and  
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STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF MELISSA DUNN

1 hereby stipulate to the dismissal of Plaintiff MELISSA DUNN from this action, with prejudice,  
2 each side bearing its own attorney's fees and costs.

Respectfully submitted,

Dated: September 24, 2009

KABATECK BROWN KELLNER LLP

By:

Brian S. Kabateck, Esq.  
Attorneys for Plaintiff MELISSA DUNN

11 Dated: November 17, 2009

DLA PIPER LLP

Bv.

/s/

Matthew A. Holian  
Attorney for Defendants PFIZER, INC., et al.

## ORDER

PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS  
SO ORDERED.

21 Dated: 10/23/2009

Honorable Charles R. Breyer  
United States District Court

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF MELISSA DUNN**